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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/776,500	02/12/2004	Per-Ake Minborg	2002-544	3666

7590 09/04/2008
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EXAMINER

HASHEM, LISA

ART UNIT	PAPER NUMBER
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2614

MAIL DATE	DELIVERY MODE
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09/04/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Election/Restrictions

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 1-9, drawn providing data object retrieval based on a triggering event, classified in class **379**, subclass **207.02**.
 - II. Claims 10, drawn to a filtering server providing data object retrieval based on profile information in response to a call set-up, classified in class **379**, subclass **201.12**.
2. Inventions I and II are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable.
 - In the instant case, invention I has separate utility than invention II, such as determining a triggering event between two subscribers and upon determination an event exists, providing data object retrieval only to subscribers with specific applications and terminals.
 - Invention II has separate utility than invention I, such as intercepting call set-up between a callee and caller and determining if a profile exists for the callee and caller; if so, determining if the profile contains data object retrieval.
3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, and have acquired a separate status in the art because of their recognized divergent subject matter, and the search required for each invention is not required for the other, restriction for examination purposes as indicated is proper. See MPEP § 806.05(d).

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4. Examiner notes that claim 9 is a filter server containing nominal limitations(s) of claim 1 (i.e. associating a type of user communication application or terminal with at least one subscriber of the network; determining an occurrence of a triggering event indicating a communication event between two subscribers; upon determination of a triggering event, the network providing data object retrieval only to the subscribers with network type user communication applications or terminals). However, because this claim does not represent an undo burden to examination, no restriction has been made. Amendment of any claims to include additional non-nominal limitations pertaining to the filter server that would represent an undo burden may result in restriction due to original presentation.

5. A telephone call was made to Applicants' representative, Daniel Homiller (Reg. No. 55,275), on August 28, 2008, to request an oral election to the above restriction requirement, but did not result in an election being made.

6. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement may be traversed (37 CFR 1.143).

7. Applicants are reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 C.F.R. 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a diligently filed petition under 37 C.F.R. 1.48(b) and by the fee required under 37 C.F.R. 1.17(i).

8. A shortened statutory period for response to this action is set to **expire 0 (zero) months and 30 (thirty) days** from the mail date of this letter. Failure to respond within the period for

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response will result in **ABANDONMENT** of the applicant (see 35 U.S.C 133, MPEP 710.02, 710.02 (b)).

Conclusion

9. Any response to this action should be mailed to:

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P.O. Box 1450
Alexandria, VA 22313-1450

Or faxed to:

(571) 273-8300 (for formal communications intended for entry)

Or call:

(571) 272-2600 (for customer service assistance)

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lisa Hashem whose telephone number is (571) 272-7542. The examiner can normally be reached on M-F 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.

11. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

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system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Fan Tsang/

Supervisory Patent Examiner, Art Unit 2614

/Lisa Hashem/

Examiner, Art Unit 2614

August 28, 2008